

No. 01-20-00568-CV

IN THE FIRST COURT OF APPEALS
HOUSTON, TEXAS

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
10/7/2020 12:13:29 PM
CHRISTOPHER A. PRINE
Clerk

SUNIL KUMAR MEHTA AND MEHTA INVESTMENTS, LTD.

v.

MOHAMMED AHMED

Appeal from the 295th Judicial District Court of Harris County, Texas
Trial Court Cause No. 2017-84654

**UNOPPOSED SWORN MOTION OF NON-RESIDENT ATTORNEY
FOR ADMISSION *PRO HAC VICE***

TO THE FIRST COURT OF APPEALS OF TEXAS:

Pursuant to Rule XIX of the Rules Governing Admission to the Bar of Texas, Marc James Ayers (“Applicant”) files this Unopposed Sworn Motion of Non-Resident Attorney for Admission Pro Hac Vice to appear before this Court on behalf of Appellee Mohammed Ahmed in the above-captioned matter, and respectfully states as follows:

1. Applicant is an attorney with the law firm of Bradley Arant Boult Cummings LLP in Birmingham, Alabama. His contact information is as follows:

1819 Fifth Ave. N.
Birmingham, AL 35203
(205) 521-8000 (Telephone)
(205) 521-8800 (Facsimile)
mayers@bradley.com

2. Throughout the course of this action, Mr. Ayers will be associated with Peter Scaff (Texas Bar No. 24027837), Mary Frazier (Texas Bar No. 24054592), and Phil Morgan (Texas Bar No. 24069008) of the law firm of Bradley Arant Boult Cummings LLP whose contact information is as follows:

600 Travis Street
Suite 4800
Houston, Texas 77002
Telephone (713) 576-0300
Facsimile (713) 576-0301
pscaff@bradley.com
mfrazier@bradley.com
pmorgan@bradley.com

3. Applicant agrees to comply with the Texas Rules of Civil Procedure, Texas Rules of Evidence, Texas Rules of Appellate Procedure, Texas Disciplinary Rules of Professional Conduct, Texas Rules of Disciplinary Procedure, Texas statutes, and local rules in this action.

4. Applicant is an active member with the State of Alabama (Bar Number ASB-7731-A60M) and the State of Florida (Bar Number 0157279). Applicant is also admitted to practice before the following state and federal courts:

| Court Name | Admit Date |
|------------------------------|-------------------|
| Alabama Supreme Court | 4-30-1999 |
| US Supreme Court | 3-26-02 |
| 1st Circuit US Court Appeals | 9-21-16 |
| 2nd Circuit US Court Appeals | 9-23-16 |
| 3rd Circuit US Court Appeals | 5-1-07 |
| 4th Circuit US Court Appeals | 11-5-07 |
| 5th Circuit US Court Appeals | 8-3-07 |
| 6th Circuit US Court Appeals | 8-3-07 |

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|-----------------------------------|----------|
| 7th Circuit US Court Appeals | 11-16-15 |
| 8th Circuit US Court Appeals | 5-14-13 |
| 9th Circuit US Court Appeals | 4-7-14 |
| 10th Circuit US Court Appeals | 6-27-12 |
| 11th Circuit US Court Appeals | 7-23-01 |
| DC Circuit Appeals Court | 3-31-16 |
| Alabama State Courts | 4-30-99 |
| USDC Northern District of Alabama | 10-20-04 |
| USDC Middle District of Alabama | 5-12-99 |
| USDC Southern District of Alabama | 7-23-01 |
| USDC Northern District of Florida | 11-18-10 |
| USDC Middle District of Florida | 7-19-13 |

5. Applicant is currently in good standing in each of the above-mentioned jurisdictions. Applicant has been in good standing in each such jurisdiction continuously since the date of his admission to practice therein.

6. Within the past two years, Applicant has sought permission to appear or participate in the following Texas cases:

Patrick Griffith v. Federal National Mortgage Association (Texas Court of Appeals for the Second District, Case No. 02-18-00095-CV)

In re Blue Creek Real Properties, LLC and Thomas Dan Friedkin (Court of Appeals for the Thirteenth District, Corpus Christi-Edinburg, Case No. 13-18-00308-CV)

In re Mehta (Texas Court of Appeals for the First District, Case No. 01-19-00162-cv).

7. Applicant has not been the subject of disciplinary action in the last five years (or ever) by the bar or courts of any jurisdiction in which he is licensed.

8. Applicant has not been denied admission to the courts of any state or to any federal court during the preceding five years or ever.

9. Applicant is familiar with the State Bar Act, the State Bar Rules, and the Texas Disciplinary Rules of Professional Conduct governing the members of the State Bar of Texas and will at all times abide by and comply with the same so long as the instant cause of action is pending and he has not withdrawn as counsel.

10. A letter from the Texas Board of Law Examiners acknowledging receipt of Mr. Ayers's application for *pro hac vice* admission and payment of the necessary fee is attached hereto as Exhibit A.

WHEREFORE, PREMISES CONSIDERED Marc James Ayers requests that the Court grant this Unopposed Sworn Motion of Non-Resident Attorney for Admission *Pro Hac Vice* and allow Applicant to appear before this Court until the conclusion of this proceeding.

Dated: October 7, 2020.

Respectfully submitted,

By: /s/ Marc James Ayers

Marc James Ayers
BRADLEY ARANT BOULT CUMMINGS LLP
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mayers@bradley.com
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ATTORNEY FOR APPELLEE
MOHAMMED AHMED

OF COUNSEL:

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713-576-0301 (facsimile)

CERTIFICATE OF CONFERENCE

As required by Tex. R. App. P. 10.1(a)(5), I certify that I have conferred with Roger Townsend, attorney for Appellants, who indicated that this motion is unopposed.

/s/ Philip J. Morgan
Philip J. Morgan

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2020, the undersigned filed a copy of the foregoing via the Court's electronic filing system to the following:

Stephen H. Cagle, Jr.
Katie Banks
Winstead PC
600 Travis Street, Suite 5200
Houston, Texas 77002
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Roger D. Townsend
Four Houston Center
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rtownsend@cokinoslaw.com

/s/ Philip J. Morgan
Philip J. Morgan

VERIFICATION

STATE OF ALABAMA)

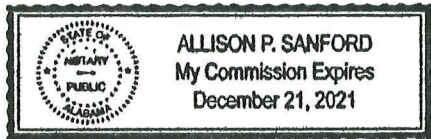
COUNTY OF JEFFERSON)

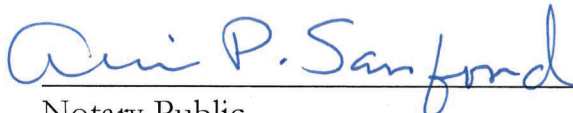
BEFORE ME, the undersigned notary, on this day personally appeared Marc James Ayers, a person whose identity is known to me. After I administered an oath to him, upon his oath, he said he read this Motion of Non-Resident Attorney for Admission Pro Hac Vice and that the facts stated in it are within his personal knowledge and are true and correct.



Marc James Ayers

SWORN TO AND SUBSCRIBED before me by Marc James Ayers on October 7, 2020.





Notary Public
In and for the State of Alabama

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Cindy Lopez on behalf of Peter Scaff
Bar No. 24027837
clopez@bradley.com
Envelope ID: 46964840
Status as of 10/7/2020 1:14 PM CST

Case Contacts

| Name | BarNumber | Email | TimestampSubmitted | Status |
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| Tammy Boshears | | tboshears@cokinoslaw.com | 10/7/2020 12:13:29 PM | SENT |

Associated Case Party: Mohammed Ahmed

| Name | BarNumber | Email | TimestampSubmitted | Status |
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| Roger Townsend | | rtownsend@cokinoslaw.com | 10/7/2020 12:13:29 PM | SENT |